IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 20TH AUGUST 2007 / 29TH SRAVANA 1929

Bail Appl..No. 5025 of 2007()

CMP.2471/2007 of J.M.F.C.-I,THAMARASSERY
C.R.NO.30/07 OF THAMARASSERY EXCISE RANGE

.....

: PETITIONER/ACCUSED

ANTHONY @ ANTONY, AGE: 40/07
S/O.JOSEPH, PUNJAYIL, KEDAVUR
AMSOM PUNNOOR DESOM.

BY ADV. SRI.LUIZ GODWIN D'COUTH

RESPONDENTS: RESPONDENT

THE STATE OF KERALA,
REPRESENTED BY THE EXCISE INSPECTOR,
THAMARASSERY THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.5025 of 2007

Dated this the 20th day of August, 2007

ORDER

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. He was allegedly found to be in possession of 3 litres of arrack on 01.08.07. He continues in custody from that date. The petitioner has one other crime under the Abkari Act registered against him, submits the learned Public Prosecutor .

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that the petitioner can now be granted regular bail subject to appropriate conditions. The submission of the learned Public Prosecutor that the investigator may be granted some further time to complete the investigation appears to me to be just and fair.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall not be released on the strength of this order prior to 23.08.2007. The Investigator shall in the meantime make every endeavour to complete the investigation.

ii) The petitioner shall execute a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like

sum to the satisfaction of the learned Magistrate;

iii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays for a period of two months from the date of his release and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-